

SB236

Dear Members of the Senate Judiciary Committee,

My name is Dan Oberweiser, and I am a Licensed Addictions Counselor for the State of Montana. I have been a counselor since 1990, and my first 12 years were spent in service at Montana State Prison. It is my experience at MSP that compels me to write to you about your very tough position in determining to keep or abolish the Death Penalty in our state.

In my years at MSP, I experienced a horrible riot, assaults against staff and inmates, murders of inmates by inmates, and 2 executions. I was present at work the day of the execution of Duncan McKenzie. I was part of the crew that escorted the media personnel on a tour of the prison, including the execution trailer, and I was the person who responded to their questions.

When I left at 10:00 pm that evening, I stayed in Deer Lodge at a local restaurant/tavern to watch the news with around 40 others. As I sat quietly in my corner, the crowd was having a good time "partying". When the newscaster finally informed us that McKenzie was dead, the crowd cheered and drank their shots, compliments of the bartender. After a few minutes, they began to look at the TV again, but this time, there was no cheering. They looked around, and it seemed to me that the reality of what happened finally hit them. A man was dead. I remember even as I write this the sick feeling I had at that time. This was shared by many of my co-workers the next day. Some of us have never forgotten this, especially those who were witnesses to the execution.

My point here is that there are more consequences for more people during and following an execution. Plus, there have been more assaults and murders in prison since the execution. There is absolutely no proof that I have seen that the Death Penalty is a deterrent to crime.

In my profession as an addictions counselor, I know that under the influence of alcohol and or drugs, a person is capable of doing anything to anyone at any time given the right circumstances. This, to me, is where we need to focus our attention if we are to ever cut down on these serious crimes.

As an added note, I met the family of McKenzie's crime. Some of them were angry and wanted "satisfaction" for what he took from them. I saw them again after the execution. Some of them seemed angrier then before because McKenzie made no confession or apology to the family. There was no resolve of their anger, and there was no closure.

I ask you to seriously consider my request to abolish the Death Penalty and help Montana to become a leader in the fight to rid our country of the label so many countries have that we are a culture of death.

Thank you for your time and consideration given me in this very difficult decision.

Sincerely,

Dan Oberweiser, LAC